

REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the telephone interview of January 6, 2005 and for considering Applicants proposed claim amendments.

Claims 1-2, 4, 6-9, and 12-22 are currently pending. Claims 1-2, 6-7, 14, and 16-17 have been amended, and claims 18-22 have been added. Support for the claim amendments and added claims may be found in the application as originally filed at page 10, lines 15- 25; page 12, lines 1-5 and lines 18-25; page 15, lines 8-25; and FIGS. 4 and 7 among other places. No new matter has been added.

Claims 1, 6, 8, and 12 - 16 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wang et al. (U.S. Patent Application No. 09/850,197) in view of Dunn et al. (U.S. Patent No. 6,138,008).

Claim 9 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wang in view of Dunn and Sudo et al. (U.S. Patent No. 6,223,058).

Claims 2 and 4 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Rignell et al. (U.S. Patent No. 5,818,920) in view of Dunn.

Claim 17 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Wang in view of Dunn and Pepe et al. (U.S. Patent No. 5,742,668).

Section 103(a) Rejections

Claim 1 as amended is patentable over Wang in view of Dunn. Aspects of the present invention as recited in amended claim 1, and not shown or suggested by Wang and Dunn, for example, include a cellular phone comprising “a control unit configured to receive the information from the time acquisition unit and based on the information to determine whether a time zone for the acquired local time differs from a time zone for a local time for the cellular phone.”

Specifically, Wang discusses a mobile phone system having a first mobile phone and a second mobile phone. The first mobile phone is configured to register an “inconvenient time” for which the user of the first mobile phone does not wish to receive phone calls. See Wang at paragraphs 25 and 26. The inconvenient time may be registered within the first mobile phone or may be registered with the first mobile phone’s mobile home location register (HLR). The second mobile phone is configured to place a phone call to the first mobile phone. The HLR for the first mobile phone is configured to determine whether the call from the second mobile phone placed is during the inconvenient time. If the call occurs during the inconvenient time, the HLR sends a message to the second mobile phone to indicate the time of the call is during the inconvenient time. See Wang at paragraph 25, 30, and 65 among other places.

Further, Dunn discusses a phone system having a mobile phone configured to place a phone call to another phone, which may be a landline phone or a mobile phone. The Dunn phone system includes a POTS (plain old telephone system) that is configured to determine the local times of the mobile phone and the other phone, and determine the differences between the local times. If the local times of these phones are different, the POTS sends a message to the calling mobile phone of the time difference for audible presentation to a user. The audible presentation includes various alternatives for trying to contact the called person. See Dunn at Col. 2, lines 14 - 38, and Col. 3, lines 41 - 51 among other places.

In contrast, aspects of the invention as recited in amended claim 1 are directed to a cellular phone that includes a control unit that is configured to determine differences between time zones of the cellular phone and another cellular phone. As the cellular phone that places the call is configured to determine time zone differences, decision making is moved from the phone network to the cellular phone. Therefore, the phone network is free to perform other tasks, and is less likely to fail than other phone networks that are configured to make such determinations.

As Wang and Dunn, either alone or in combination, fail to show or suggest the foregoing described limitations of amended claim 1, Wang and Dunn fail to render amended claim 1 obvious.

Each of the independent claims 2, 4, 14, 16, and 17 have been amended to recite similar limitations as those of amended claim 1 distinguished from Wang and Dunn above. Therefore, Wang and Dunn fail to render amended claims 2, 4, 14, 16, and 17 obvious.

Regarding the rejection of claim 17 over Wang in view of Dunn and Pepe, as amended, claim 17 is patentable over Wang in view of Dunn and Pepe. Rignell and Dunn are discussed above in detail and will not be further described. Pepe does not make up for the deficiencies of Wang and Dunn. Specifically, Pepe discusses systems and techniques for electronic messaging, such as e-mail messaging, text messaging, voice messaging and the like. Pepe's messaging system includes wireless and wireline networks for message delivery. See the abstract of Pepe among other places. Nowhere does Pepe discuss a cellular phone configured to determine time zone difference information for a calling phone and a called phone. Therefore, Pepe fails to make up for the deficiencies of Wang and Dunn discussed above. Therefore, Wang in view of Dunn And Pepe fail to render amended claim 17 obvious.

Regarding the rejection of claim 2 over Rignell in view of Dunn, as amended, claim 2 is patentable over Rignell and Dunn. Dunn is discussed above in detail and will not be further described. Rignell does not make up for the above discussed deficiencies of Dunn. Specifically, Rignell discusses a public switched telephone network (PSTN) configured to determine time zone difference information for a calling phone and a called phone. See Rignell at Col. 4, lines 11-17, and Col. 6, lines 50-55. That is, Rignell does not show or suggest a phone system for which a calling phone is configured to determine time zone differences from information received from a called phone or a base station. As Rignell fails to make up for the deficiencies of Dunn, Rignell and Dunn fail to render amended claim 2 obvious.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

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Amdt. dated January 21, 2005
Preliminary Amendment

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,


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